

ORDINANCE NO. 20061130-051

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13427 POND SPRINGS ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property (the "Property") described in Zoning Case No C14-06-0066, on file at the Neighborhood Planning and Zoning Department, as follows

Tract One From interim rural residence (I-RR) district to general commercial services-conditional overlay (CS-CO) combining district

A 24,600 square foot tract of land, more or less, out of 6 983 acres of land in the Elisha Allen Survey Abstract No 18, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district

A 6 983 acre tract of land in the Elisha Allen Survey Abstract No 18, Williamson County, Save and Except the property described as Tract One in this ordinance, the 6 983 acre tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 13427 Pond Springs Road, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "C"

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

1 A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day above the trips generated by the existing or approved development

2 A 25-foot wide building setback shall be established parallel to and measured from the north and west property lines adjacent to the existing single family neighborhoods

3 The following uses are prohibited uses of Tracts One and Two

Automotive rentals
Automotive sales

Automotive repair services
Automotive washing (of any type)

4 The following uses are prohibited uses of Tract One

Agricultural sales and services
Commercial blood plasma center
Kennels
Monument retail sales
Vehicle storage

Campground
Drop-off recycling collection facility
Laundry services
Plant nursery

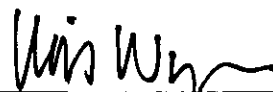
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code

PART 3. This ordinance takes effect on December 11, 2006

PASSED AND APPROVED

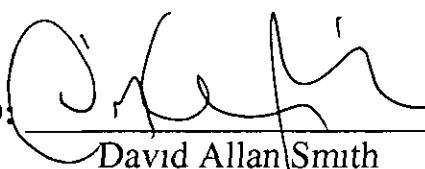
_____, November 30, 2006

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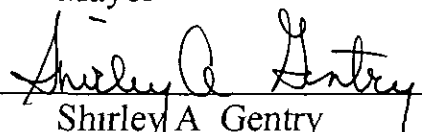


Will Wynn
Mayor

APPROVED: _____


David Allan Smith
City Attorney

ATTEST: _____


Shirley A. Gentry
City Clerk

Tract 1 area
(existing building
footprint)

HOLT CARSON, INC.

1904 FORTVIEW ROAD

AUSTIN, TX 78704

TELEPHONE (512) 442-0990

FACSIMILE (512) 442-1084

August 24, 2006

FIELD NOTE DESCRIPTION OF 24,600 SQUARE FEET OF LAND PROPOSED FOR ZONING CHANGE OUT OF THE ELISHA ALLEN SURVEY ABSTRACT NO 18 IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (6 963 ACRE) TRACT CONVEYED TO FURROWS NORTH PROPERTIES, LTD BY DEED RECORDED IN DOCUMENT No 2002055772 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING FOR REFERENCE at a 60 D nail found at the base of a fence corner post at the most Northerly corner of that certain (6 963 acre) tract of land as conveyed to Furrows North Properties, Ltd by deed recorded in Document No 2002055772 of the Official Records of Williamson County, Texas, and being an angle corner of Lot 30, Jolly Oaks, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet B Slide 386 of the Plat Records of Williamson County, Texas, and being the most Westerly corner of Lot 2, Block A, Williamson County Fire District No 1 Subdivision, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet K Slide 33 of the Plat Records of Williamson County, Texas,

THENCE crossing the interior of said Furrows North tract, S 39 deg 59' E 134 8 ft to a calculated point at the most northerly corner of a 1 story metal building ("1st building") and being the most northerly corner and **PLACE OF BEGINNING** of the herein described tract of land,

THENCE S 48 deg 29' E 425 5 ft to a calculated point at the most easterly corner of a second 1 story metal building ("2nd building"), and being the most easterly corner of this tract, and from which a iron rod found with plastic cap marked "Carson and Bush Professional Surveyors" in the North right-of-way line of Anderson Mill Road at the southeast corner of said Furrows North tract bears S 59 deg 18' E 107 1 ft ,

THENCE along the southeasterly wall of the 2nd building, S 41 deg 41' W 60 5 ft to a calculated point at the most southerly corner of said 2nd building, and being the most southerly corner of this tract,

THENCE continuing along the walls of said 2nd building the following three courses

1) N 48 deg 19' W 1 0 ft to a calculated point,

2) N 41 deg 41' E 5 0 ft to a calculated point,

3) N 48 deg 27' W 223 8 ft to a calculated point on the southeasterly wall of the 1st building, and being an angle point of this tract,

EXHIBIT A

24,600 square feet for zoning change
Page 2 of 2

THENCE along the walls of said 1st building, the following five courses

- 1) S 41 deg 33' W 50 ft to a calculated point,
- 2) N 48 deg 27' W 208.1 ft to a calculated point at the most westerly corner of said 1st building,
- 3) N 41 deg 33' E 76 ft to a calculated point,
- 4) S 48 deg 29' E 75 ft to a calculated point,
- 5) N 41 deg 33' E 526 ft to the Place of Beginning, containing 24,600 square feet of land

PREPARED August 24, 2006

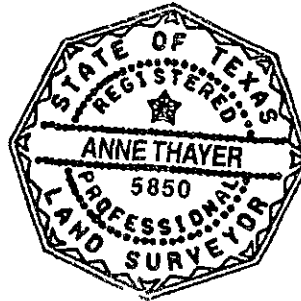
BY



Anne Thayer

Registered Professional Land Surveyor No 5850

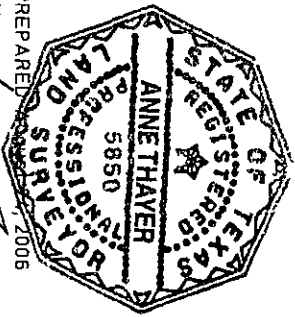
see sketch C667011



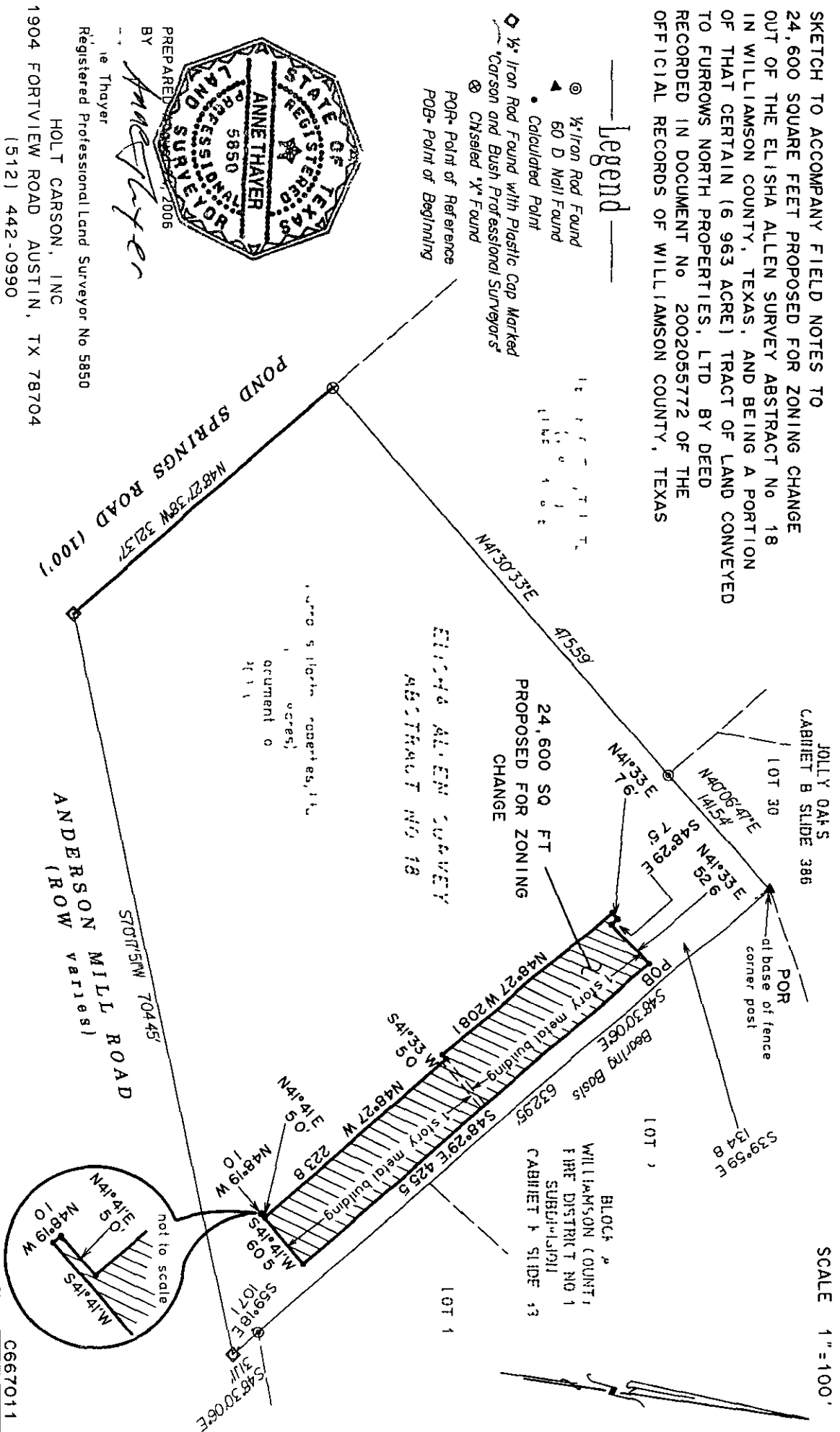
SKETCH TO ACCOMPANY FIELD NOTES TO
 24,600 SQUARE FEET PROPOSED FOR ZONING CHANGE
 OUT OF THE ELISHA ALLEN SURVEY ABSTRACT No 18
 IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION
 OF THAT CERTAIN (6 963 ACRE) TRACT OF LAND CONVEYED
 TO FURROWS NORTH PROPERTIES, LTD BY DEED
 RECORDED IN DOCUMENT No 2002055772 OF THE
 OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS

Legend

- ① 1/2 Iron Rod Found
- ▲ 60 D Nail Found
- Calculated Point
- ⊗ 1/2 Iron Rod Found with Plastic Cap Marked
 "Carson and Bush Professional Surveyors"
- ⊗ Chiseled "X" Found
- POR- Point of Reference
- POB- Point of Beginning



PREPARED BY
 Anne Thayer
 Registered Professional Land Surveyor No 5850
 HOLT CARSON, INC
 1904 FORTVIEW ROAD AUSTIN, TX 78704
 (512) 442-0990



CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 6.963 ACRES OF LAND OUT OF THE ELISHA ALLEN SURVEY ABSTRACT NO. 18 IN WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (6 963 ACRE) TRACT CONVEYED TO FURROWS NORTH PROPERTIES, LTD BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2002055772 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 60 D nail found at the base of a fence corner post at the most Northerly corner of that certain (6 680 Acre) tract conveyed to Payless Cashways, Inc by deed recorded in Volume 1149 Page 552 of the Official Records of Williamson County, Texas, and being an angle corner of Lot 30, Jolly Oaks, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet B Slide 386 of the Plat Records of Williamson County, Texas, and being the most Westerly corner of Lot 2, Block A, Williamson County Fire District No 1 Subdivision, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet K Slide 33 of the Plat Records of Williamson County, Texas, and being the most Northerly corner of that certain (6 963 acre) tract of land as conveyed to Furrows North Properties, Ltd by Special Warranty Deed recorded in Document No 2002055772 of the Official Records of Williamson County, Texas, same being the most Northerly corner and **PLACE OF BEGINNING** of the herein described tract of land,

THENCE with the Northeast line of said (6 680 Acre) tract and with the Northeast line of said (6 963 acre) tract, **S 48 deg 30' 06" E** at 225 80 ft passing the most Northerly corner of that certain (0 777 Acre) tract conveyed to Payless Cashways, Inc by deed recorded in Volume 1149 Page 558 of the Official Records of Williamson County, Texas, and continuing on the same course with the Northeast line of said (0 777 Acre) tract 407 15 ft. more to pass a ½ inch iron rod found at the Southwest corner of Lot 1, Block A of said Williamson County Fire District No 1 Subdivision, and continuing on 31 11 ft more, for a total distance on this course of **664 06 ft.** to a ½ inch iron rod found with plastic cap marked "Carson and Bush Professional Surveyors" in the North right-of-way line of Anderson Mill Road at the Northeast corner of that certain (0 497 Acre) tract conveyed to Williamson County by deed recorded in Document No 2000005903 of the Official Public Records of Williamson County, Texas, and being the Southeast corner of said (6 963 acre) tract, same being the Southeast corner of this tract,

EXHIBIT B

THENCE crossing the interior of said (0 777 Acre) tract with the North right-of-way line of Anderson Mill Road, **S 70 deg 17' 51" W** at 132 08 ft passing the common line of said (0 777 Acre) tract and said (6 680 Acre) tract and continuing on the same course 572 37 ft more, for a total distance on this course of **704 45 ft.**, to a ½ inch iron rod found with plastic cap marked "Carson and Bush Professional Surveyors" near the base of a galvanized metal power pole in the Northeast right-of-way line of Pond Springs Road at the Northwest corner of said (0 497 Acre) Williamson County tract, for the Southwest corner of said (6 963 acre) tract, same being the Southwest corner of this tract, and from which a ½ inch iron rod found at the intersection of the South right-of-way line of Anderson Mill Road and the Northeast right-of-way line of Pond Springs Road bears **S 48 deg 31' 21" E 102 73 ft** ,

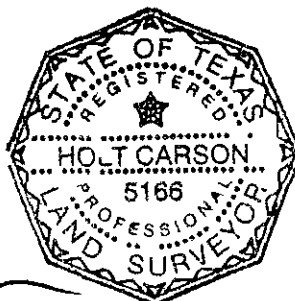
THENCE with the Northeast right-of-way line of Pond Springs Road, **N 48 deg 27' 38" W 321 37 ft** to a chiseled "X" found on top of a concrete wall around a detention pond at the Northwest corner of said (6 680 Acre) tract, and called the Southeast corner of that certain (4 Acre) tract conveyed to Les Procter, trustee, by deed recorded in Volume 531 Page 555 of the Deed Records of Williamson County, Texas, and for the Northwest corner of said (6 963 acre) tract, same being the Northwest corner of this tract, and from which a ½ inch iron rod, found at the Southwest corner of said Procter (4 Acre) tract, bears **N 48' 27' 46" W 365 42 ft**

THENCE with the Northwest line of said (6 680 Acre) tract and with the Northwest line of said (6 963 acre) tract, the following two courses

- 1) **N 41 deg. 30' 33" E 475 59 ft.** to a ½ inch iron rod found at the most southerly corner of said Lot 30, and being called the Northeast corner of said Procter (4 Acre) tract,
- 2) **N 40 deg. 06'47" E 141 54 ft.** to the Place of Beginning, containing 6 963 Acres of land

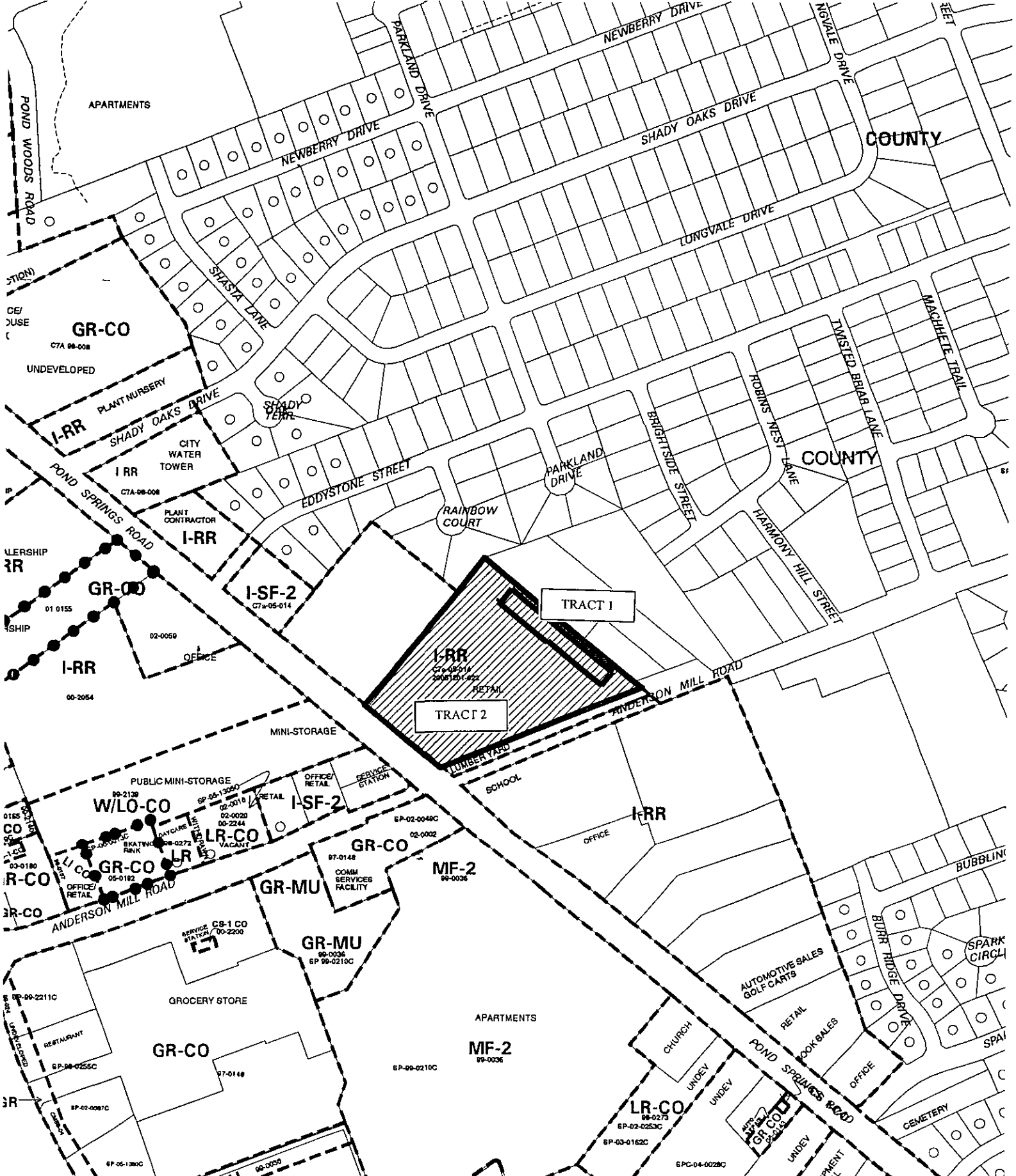
SURVEYED June 24, 2005




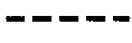
BY



Holt Carson
Registered Professional Land Surveyor No 5166

see survey plat B 667011



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT C		CITY GRID REFERENCE NUMBER G38
	PENDING CASE 			
	ZONING BOUNDARY 	CASE # C14-06-0066	DATE 06 09	
	CASE MGR W WIRWAITIS	ADDRESS 13427 POND SPRINGS RD	INTLS SM	

SUBJECT AREA (acres) 6.936